

Fill in this information to identify your case:

United States Bankruptcy Court for the:

SOUTHERN DISTRICT OF NEW YORK

Case number (if known) _____ Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

06/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Chinah Brooklyn Commons LLC

2. All other names debtor used in the last 8 years
Include any assumed names, trade names and doing business as names
DBA Chinah Kitchen
DBA Chi Nah
DBA Chinah

3. Debtor's federal Employer Identification Number (EIN) 88-1943161

4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	<u>2 Metrotech Center</u> <u>Brooklyn, NY 11201</u> Number, Street, City, State & ZIP Code	<u>130 William Street, Apt 8A</u> <u>New York, NY 10038</u> P.O. Box, Number, Street, City, State & ZIP Code
	<u>Kings</u> County	Location of principal assets, if different from principal place of business <u>Number, Street, City, State & ZIP Code</u>

5. Debtor's website (URL) _____

6. Type of debtor
☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☐ Partnership (excluding LLP)
☐ Other. Specify: _____

Debtor Chinah Brooklyn Commons LLC
Name

Case number (if known) _____

7. Describe debtor's business**A. Check one:**

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

7225**8. Under which chapter of the Bankruptcy Code is the debtor filing?****Check one:**

- ☐ Chapter 7
☐ Chapter 9

☒ Chapter 11. **Check all that apply:**

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☒ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11.** If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- ☒ No.
☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

- ☐ No
☒ Yes.

List all cases. If more than 1, attach a separate list

Debtor	<u>See Attachment</u>	Relationship	_____
District	_____	Case number, if known	_____

Debtor Chinah Brooklyn Commons LLC Case number (if known) _____
Name

11. Why is the case filed in this district? *Check all that apply:*
☐ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
☒ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention? ☒ No
☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.
Why does the property need immediate attention? (*Check all that apply.*)
☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard? _____
☐ It needs to be physically secured or protected from the weather.
☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
☐ Other _____
Where is the property? _____
Number, Street, City, State & ZIP Code
Is the property insured?
☐ No
☐ Yes. Insurance agency _____
Contact name _____
Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds *Check one:*
☐ Funds will be available for distribution to unsecured creditors.
☒ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors
☒ 1-49 ☐ 1,000-5,000 ☐ 25,001-50,000
☐ 50-99 ☐ 5001-10,000 ☐ 50,001-100,000
☐ 100-199 ☐ 10,001-25,000 ☐ More than 100,000
☐ 200-999

15. Estimated Assets
☒ \$0 - \$50,000 ☐ \$1,000,001 - \$10 million ☐ \$500,000,001 - \$1 billion
☐ \$50,001 - \$100,000 ☐ \$10,000,001 - \$50 million ☐ \$1,000,000,001 - \$10 billion
☐ \$100,001 - \$500,000 ☐ \$50,000,001 - \$100 million ☐ \$10,000,000,001 - \$50 billion
☐ \$500,001 - \$1 million ☐ \$100,000,001 - \$500 million ☐ More than \$50 billion

16. Estimated liabilities
☐ \$0 - \$50,000 ☐ \$1,000,001 - \$10 million ☐ \$500,000,001 - \$1 billion
☐ \$50,001 - \$100,000 ☐ \$10,000,001 - \$50 million ☐ \$1,000,000,001 - \$10 billion
☒ \$100,001 - \$500,000 ☐ \$50,000,001 - \$100 million ☐ \$10,000,000,001 - \$50 billion
☐ \$500,001 - \$1 million ☐ \$100,000,001 - \$500 million ☐ More than \$50 billion

Debtor Chinah Brooklyn Commons LLC
Name

Case number (if known) _____

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 24, 2023
MM / DD / YYYY

X /s/ Hegel Hei
Signature of authorized representative of debtor

Hegel Hei
Printed name

Title Manager

18. Signature of attorney

X /s/ Erica Aisner
Signature of attorney for debtor

Date July 24, 2023
MM / DD / YYYY

Erica Aisner
Printed name

Kirby Aisner & Curley LLP
Firm name

700 Post Road
Suite 237
Scarsdale, NY 10583
Number, Street, City, State & ZIP Code

Contact phone _____ Email address eaisner@kacllp.com

4106084 NY
Bar number and State

Debtor Chinah Brooklyn Commons LLC Case number (if known) _____
Name

Fill in this information to identify your case:

United States Bankruptcy Court for the:

SOUTHERN DISTRICT OF NEW YORK

Case number (if known) _____ Chapter 11

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FORM 201. VOLUNTARY PETITION

Pending Bankruptcy Cases Attachment

Debtor	<u>Chi Na Eating House LLC</u>	Relationship to you	<u>Affiliate</u>
District	<u>SDNY</u>	When	<u>7/24/23</u>
		Case number, if known	<u>23-11156</u>
Debtor	<u>Chinah 275 Madison LLC</u>	Relationship to you	<u>Affiliate</u>
District	<u>SDNY</u>	When	<u>7/24/23</u>
		Case number, if known	<u>23-11153</u>
Debtor	<u>Chinah Maiden Lane LLC</u>	Relationship to you	<u>Affiliate</u>
District	<u>SDNY</u>	When	<u>7/24/23</u>
		Case number, if known	<u>23-11154</u>
Debtor	<u>Chinah USA LLC</u>	Relationship to you	<u>Parent</u>
District	<u>SDNY</u>	When	_____
		Case number, if known	_____

Fill in this information to identify the case:

Debtor name Chinah Brooklyn Commons LLC

United States Bankruptcy Court for the: SOUTHERN DISTRICT OF NEW YORK

Case number (if known) _____

☐ Check if this is an amended filing

Official Form 202

Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ Amended Schedule _____
- ☒ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☐ Other document that requires a declaration _____

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 24, 2023

X /s/ Hegel Hei

Signature of individual signing on behalf of debtor

Hegel Hei

Printed name

Manager

Position or relationship to debtor

Fill in this information to identify the case:

Debtor name Chinah Brooklyn Commons LLC
United States Bankruptcy Court for the: SOUTHERN DISTRICT OF NEW YORK
Case number (if known): _____

☐ Check if this is an
amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders 12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Brookfield Properties Key Tower 127 Public Square Suite 3100 Cleveland, OH 44114		Rent Arrears				\$11,616.14
Entrust Group Inc. 105 Evergreen Farms Ln Wardensville, WV 26851	clnvalentine2@gmail.com			\$17,000.00	\$0.00	\$17,000.00
Gesture Ink Architecture 1200 5th street, Unit 4141 Harrison, NJ 07029			Disputed			\$2,912.00
JP Morgan Chase Bank/ Card Services Attn: President/CEO 270 Park Ave 31st Floor New York, NY 10017		Credit card purchases				\$40,000.00
Kevin Cen 110 Gladwin Ave Leonia, NJ 07605	kcen.4br@gmail.com			\$5,000.00	\$0.00	\$5,000.00
Michael Nardo 80 Vardon Way, Farmingdale, NJ 07727	michaelnardo32@yahoo.com			\$20,000.00	\$0.00	\$20,000.00
Michael Nulty 5 Coach Drive Hazlet, NJ 07730	mike@matthewsandnulty.com			\$2,000.00	\$0.00	\$2,000.00
Philip Charash 100 W 89th St Apt 7J New York, NY 10024	philcharash@gmail.com			\$3,000.00	\$0.00	\$3,000.00

Debtor Chinah Brooklyn Commons LLC
Name

Case number (if known) _____

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Timothy McDonald 4959 N Watergate Rd., Olney, IL 62450	tdmcdonald669@msn.com			\$12,000.00	\$0.00	\$12,000.00
Visionary Builders Inc. 250-72 Jericho Turnpike Floral Park, NY 11001			Disputed			\$3,960.00

**United States Bankruptcy Court
Southern District of New York**

In re Chinah Brooklyn Commons LLC Debtor(s) Case No. _____
Chapter 11

LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Chinah USA LLC 525 Washington Blvd. Jersey City , NJ 07310	7007	100%	Sole Member

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the Manager of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date July 24, 2023 Signature /s/ Hegel Hei
Hegel Hei

Penalty for making a false statement of concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.

**United States Bankruptcy Court
Southern District of New York**

In re Chinah Brooklyn Commons LLC

Debtor(s)

Case No. _____

Chapter 11

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, Hegel Hei , declare under penalty of perjury that I am the Manager of Chinah Brooklyn Commons LLC, and that the following is a true and correct copy of the resolutions adopted by the Board of Managers of said company at a special meeting duly called and held on the 21st day of July, 2023.

"Whereas, it is in the best interest of this Company to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that Hegel Hei, Manager of this Company, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the company; and

Be It Further Resolved, that Hegel Hei, Manager of this Company is authorized and directed to appear in all bankruptcy proceedings on behalf of the Company and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the company in connection with such bankruptcy case, and

Be It Further Resolved, that Hegel Hei, Manager of this Company is authorized and directed to employ Erica Aisner , attorney and the law firm of Kirby Aisner & Curley LLP to represent the company in such bankruptcy case."

Date July 21, 2023

Signed /s/ Hegel Hei
Hegel Hei

Resolution of Board of Managers
of
Chinah Brooklyn Commons LLC

Whereas, it is in the best interest of this corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that Hegel Hei , Manager of this Company, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the company; and

Be It Further Resolved, that Hegel Hei , Manager of this Company is authorized and directed to appear in all bankruptcy proceedings on behalf of the Company, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the company in connection with such bankruptcy case, and

Be It Further Resolved, that Hegel Hei , Manager of this Company is authorized and directed to employ Erica Aisner , attorney and the law firm of Kirby Aisner & Curley LLP to represent the company in such bankruptcy case.

Date July 21, 2023

Signed /s/ Hegel Hei
Hegel Hei, Manager

**United States Bankruptcy Court
Southern District of New York**

In re Chinah Brooklyn Commons LLC

Debtor(s)

Case No.

Chapter

11

VERIFICATION OF CREDITOR MATRIX

I, the Manager of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: July 24, 2023

/s/ Hegel Hei

Hegel Hei /Manager

Signer/Title

Brookfield Properties Key Tower
127 Public Square Suite 3100
Cleveland, OH 44114

Chi Na Eating House LLC
525 Washington Blvd.
Jersey City, NJ 07310

Chinah 275 Madison LLC
285 Madison Avenue
New York, NY 10017

Chinah Maiden Lane LLC
100 Maiden Lane
New York, NY 10038

Chinah USA LLC
525 Washington Blvd.
Jersey City, NJ 07310

Colin Valentine
105 Evergreen Farms Ln
Littleton, WV 26581

Entrust Group Inc.
105 Evergreen Farms Ln
Wardensville, WV 26851

Gesture Ink Architecture
1200 5th street, Unit 4141
Harrison, NJ 07029

Internal Revenue Service
Centralized Insolvency Operations
PO Box 7346
Philadelphia, PA 19101-7346

JP Morgan Chase Bank/ Card Services
Attn: President/CEO
270 Park Ave 31st Floor
New York, NY 10017

Kevin Cen
110 Gladwin Ave
Leonida, NJ 07605

Mackenzie Valentine
540 N. State St. Apt 1105
Chicago, IL 60654

Michael Nardo
80 Vardon Way,
Farmingdale, NJ 07727

Michael Nulty
5 Coach Drive
Hazlet, NJ 07730

NYC Dept. of Finance
Office of Legal Affairs
375 Pearl Street, 30th Street
New York, NY 10038

NYS Dept. of Taxation & Finance
Bankruptcy/ Special Procedures Section
PO Box 5300
Albany, NY 12205-0300

Office Of the United States Trustee
One Bowling Green, Room 534
New York, NY 10004-1408

Patricia Valentine
112 Preakness Ct. Lincoln University
Lincoln University, PA 19352

Patrick Valentine
932 Hollyview Lane
West Chester, PA 19380

Philip Charash
100 W 89th St Apt 7J
New York, NY 10024

Social Security Administration
26 Federal Plaza, Room 3904
New York, NY 10278

The United States Attorneys Office
Attn: Tax and Bankruptcy Unit
86 Chambers Street, Third Floor
New York , NY 10007

Timothy McDonald
4959 N Watergate Rd.,
Olney, IL 62450

U.S Securities and Exchange Commission
New York Regional Office
Brookfield Place 200 Vesey Street, Suite
New York, NY 10281-1022

Visionary Builders Inc.
250-72 Jericho Turnpike
Floral Park, NY 11001

**United States Bankruptcy Court
Southern District of New York**

In re Chinah Brooklyn Commons LLC

Debtor(s)

Case No.

Chapter

11

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for Chinah Brooklyn Commons LLC in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

Chinah USA LLC
525 Washington Blvd.

Jersey City , NJ 07310

☐ None [*Check if applicable*]

July 24, 2023

Date

/s/ Erica Aisner

Erica Aisner

Signature of Attorney or Litigant

Counsel for Chinah Brooklyn Commons LLC

Kirby Aisner & Curley LLP

700 Post Road

Suite 237

Scarsdale, NY 10583

Fax:

eaisner@kacllp.com